



UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CHERYL PHIPPS, BOBBI MILLNER,)	
and SHAWN GIBBONS, On Behalf of)	
Themselves and all Others Similarly)	
Situated,)	CLASS ACTION
)	
<i>Plaintiffs,</i>)	CASE NO. 3:12-cv-01009
)	
v.)	JUDGE TRAUGER
)	
WAL-MART STORES, INC.)	JURY TRIAL DEMANDED
)	
<i>Defendant.</i>)	

PLAINTIFFS' MOTION FOR LEAVE TO FILE REPLY IN SUPPORT OF
PLAINTIFFS' MOTION TO CERTIFY FOR INTERLOCUTORY REVIEW AND
FOR STAY OF PROCEEDINGS PENDING INTERLOCUTORY APPEAL

Plaintiffs hereby seek leave to file the attached Reply in support of their Motion to Certify for Interlocutory Review and for Stay of Proceedings Pending Interlocutory Appeal [Doc. No. 57.].

Defendant's Response to Plaintiffs' Motion to Certify for Interlocutory Review devotes several pages of analysis to the Sixth Circuit's pending interlocutory review of the Northern District of Ohio's opinion in *In re Vertue Marketing & Sales Practices Litigation*, 712 F. Supp. 2d 703 (N.D. Ohio 2010), which Plaintiffs' initial Memorandum addresses only briefly in one footnote. [*Compare* Doc. No. 59, at 15-18, with Doc. No. 58, at 7 n.3.] Plaintiffs respectfully request leave to file the short attached Reply to address the Sixth Circuit's interlocutory review of the *Vertrue* decision in greater detail.

Concerning the remaining arguments set forth in Defendant's Response, Plaintiffs rest on their Memorandum in support of their Motion [Doc. No. 58.], which itself echoes many of the